



September 17, 2012

Anthony Herman, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

MUR# 6650

REC'D  
FEDERAL ELECTION  
COMMISSION  
2012 SEP 24 AM 11:56  
OFFICE OF GENERAL  
COUNSEL

Re: Soren Simonsen's Failure to Disclose His Campaign's Finances to the Public

Dear Mr. Herman:

Soren Simonsen, a candidate for the U.S. House of Representative, has failed to comply with the Commission's public disclosure rules, choosing instead to shield important information about his campaign's finances from voters until shortly before Election Day.<sup>1</sup>

Mr. Simonsen was required to designate a principal campaign committee by filing a Statement of Candidacy (FEC Form 2) within 15 days of triggering federal candidate<sup>2</sup> status.<sup>3</sup> Mr. Simonsen fulfilled this requirement by submitting a Statement of Candidacy that was dated June 10, 2012 and received by the Commission on June 20, 2012.<sup>4</sup> After filing a Statement of Candidacy, however, Mr. Simonsen should have submitted on June 30th a Statement of Organization (FEC Form 1) to designate a treasurer, disclose contact information, and list bank depository accounts.<sup>5</sup> He neglected to do so. Mr. Simonsen instead waited until July 6th to submit a Statement of Organization.<sup>6</sup>

This delay in filing was legally significant, and not merely a technical violation. In the ordinary course, if Mr. Simonsen had timely filed a Statement of Organization on June 30th, it would have been obvious to a Reports Analysis Division analyst at the Commission that Mr. Simonsen's campaign owed the public a full accounting of its financial activities through a July Quarterly Report. Instead, Mr. Simonsen's delay created a false impression that his campaign did not exist before the end of July, masking the fact that his first required campaign-finance report (the July Quarterly Report) was never filed and is now long overdue. Seemingly, this was

<sup>1</sup> Mr. Simonsen's principal campaign committee is Citizens to Elect Soren Simonsen. The campaign's mailing address is PO Box 526082, Salt Lake City, UT 84152.

<sup>2</sup> An individual becomes a candidate for federal office when either the individual and/or the individual's agents receive or expend over \$5,000 for campaign purposes (as opposed to "testing the waters" activities) or the individual fails to disavow unauthorized campaign activity by return letter to the FEC within 30 days of notification. 11 C.F.R. §§ 100.3(a); 102.13(a)(2).

<sup>3</sup> 11 C.F.R. §§ 101.1(a), 102.12(a).

<sup>4</sup> Soren Simonsen FEC Form 2, available at [http://query.nictusa.com/cgi-bin/fecimg/?\\_12030823189+0](http://query.nictusa.com/cgi-bin/fecimg/?_12030823189+0).

<sup>5</sup> 11 C.F.R. § 102.1(a).

<sup>6</sup> Citizens to Elect Soren Simonsen Form 1, available at [http://query.nictusa.com/cgi-bin/fecimg/?\\_12030832499+0](http://query.nictusa.com/cgi-bin/fecimg/?_12030832499+0).

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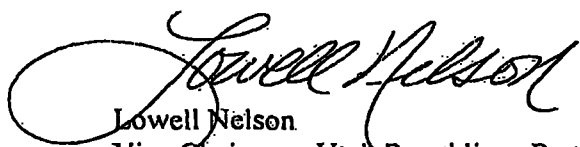
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an attempt by Mr. Simonsen to manipulate the reporting rules so that he could postpone full disclosure to the public until the October Quarterly Report, which would offer voters their first look at Mr. Simonsen's campaign finances mere weeks before Election Day.

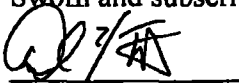
Unlike Mr. Simonsen, the Utah Republican Party believes that transparency is important. Voters deserve the opportunity to discover and discuss who is funding Mr. Simonsen's campaign, and no candidate should be allowed to unilaterally thwart the public's right to know. We therefore request that the Commission immediately open an investigation into Mr. Simonsen's failure to file important campaign-finance filings.

Respectfully Submitted,

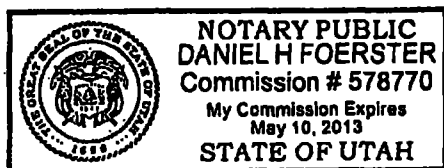


Lowell Nelson  
Vice Chairman, Utah Republican Party  
117 E South Temple  
Salt Lake City, Utah 84111

Sworn and subscribed before me this 18 of September 2012.



Notary Public in and for the state of Utah  
My commission expires 5/10/13



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